

1 ROBBINS GELLER RUDMAN
& DOWD LLP
2 SPENCER A. BURKHOLZ (147029)
THOMAS E. EGLER (189871)
3 SCOTT H. SAHAM (188355)
NATHAN R. LINDELL (248668)
4 ASHLEY M. ROBINSON (281597)
655 West Broadway, Suite 1900
5 San Diego, CA 92101
Telephone: 619/231-1058
6 619/231-7423 (fax)
spenceb@rgrdlaw.com
7 tome@rgrdlaw.com
scotts@rgrdlaw.com
8 nlindell@rgrdlaw.com
arobinson@rgrdlaw.com

9 KESSLER TOPAZ MELTZER
& CHECK, LLP
10 ANDREW L. ZIVITZ
11 SHARAN NIRMUL
KIMBERLY JUSTICE
12 JENNIFER L. JOOST
280 King of Prussia Road
13 Radnor, PA 19087
Telephone: 610/667-7706
14 610/667-7056 (fax)
azivitz@ktmc.com
15 snirmul@ktmc.com
kjustice@ktmc.com
16 jjoost@ktmc.com

COHEN MILSTEIN SELLERS
& TOLL PLLC
STEVEN J. TOLL (*pro hac vice*)
JULIE GOLDSMITH REISER (*pro hac vice*)
JOSHUA S. DEVORE (*pro hac vice*)
1100 New York Avenue, N.W.
West Tower, Suite 500
Washington, DC 20005-3964
Telephone: 202/408-4600
202/408-4699 (fax)
stoll@cohenmilstein.com
jreiser@cohenmilstein.com
jdevore@cohenmilstein.com

17 Co-Lead Counsel in the *Luther*
and *Western Conference* actions

Lead Counsel in the *Maine State* action only

18 [Additional counsel appear on signature page.]

19 UNITED STATES DISTRICT COURT
20 CENTRAL DISTRICT OF CALIFORNIA

21 MAINE STATE RETIREMENT
SYSTEM, Individually and On Behalf
22 of All Others Similarly Situated,

23 Plaintiff,

24 vs.

25 COUNTRYWIDE FINANCIAL
CORPORATION, et al.,

26 Defendants.
27

No. 2:10-cv-00302-MRP(MANx)

CLASS ACTION

NOTICE OF AMENDMENT OF
EXHIBIT 1 TO [PROPOSED] FINAL
JUDGMENT AND ORDER OF
DISMISSAL WITH PREJUDICE

28 [Caption continued on following page.]

1 WESTERN CONFERENCE OF
2 TEAMSTERS PENSION TRUST
3 FUND, Individually and On Behalf of
4 All Others Similarly Situated,

Plaintiff,

vs.

5 COUNTRYWIDE FINANCIAL
6 CORPORATION, et al.,

Defendants.

8 DAVID H. LUTHER, et al.,
9 Individually and On Behalf of All
Others Similarly Situated,

Plaintiffs,

vs.

12 COUNTRYWIDE FINANCIAL
13 CORPORATION, et al.,

Defendants.

No. 2:12-cv-05122-MRP(MANx)

CLASS ACTION

No. 2:12-cv-05125-MRP(MANx)

CLASS ACTION

1 On October 21, 2013, Plaintiffs submitted their Reply in Support of Plaintiffs’
2 Motions for Final Approval of Class Action Settlement, Plan of Allocation of
3 Settlement Proceeds, and Request for an Award of Attorneys’ Fees and Expenses
4 (“Reply”). *See* Dkt. No. 280 in Case No. 2:12-cv-05125; Dkt. No. 543 in Case No.
5 2:10-cv-00302; Dkt. No. 261 in Case No. 2:12-cv-05122. As part of Plaintiffs’
6 submission, they filed a [Proposed] Final Judgment and Order of Dismissal with
7 Prejudice, which included a list of the individuals and entities requesting exclusion
8 from the Class as Exhibit 1. *See* Dkt. No. 280-1 in Case No. 2:12-cv-05125; Dkt. No.
9 543-1 in Case No. 2:10-cv-00302; Dkt. No. 261-1 in Case No. 2:12-cv-05122. The
10 list included in Exhibit 1 was arranged by individual/entity and, thus, totaled 440
11 separate exclusion requests. Plaintiffs’ Reply, however, identified the exclusion
12 requests by the number of letters received, which totaled 117. Thus, to be consistent
13 with Plaintiffs’ Reply and to alleviate any confusion, Plaintiffs attach Exhibit 1 hereto,
14 which lists the requests for exclusion by letter, and contains other minor revisions
15 based on information in those letters. Plaintiffs request that this revised Exhibit 1
16 replace that filed on October 21, 2013.

17 Additionally, as set forth in the Supplemental Declaration of Jose Fraga
18 Regarding (A) Mailing of the Notice and Proof of Claim Form; and (B) Report on
19 Requests for Exclusion Received (Dkt. No. 282 in Case No. 2:12-cv-05125; Dkt. No.
20 545 in Case No. 2:10-cv-00302; Dkt. No. 263 in Case No. 2:12-cv-05122), 116 timely
21 requests for exclusion and one (1) late request for exclusion were received. The late
22 request was submitted by Denali State Bank (“Denali”) and was postmarked one day
23 after the request for exclusion deadline. Denali seeks to be excluded from the Class
24 for purposes of the settlement, however, because its request was postmarked after the
25 exclusion deadline the Court must determine whether to allow Denali to opt-out. For
26 the Court’s convenience, Plaintiffs include two (2) versions of Exhibit 1 hereto. One
27 version of Exhibit 1 lists Denali as a timely exclusion and the other does not.

1 Plaintiffs respectfully request that the Court enter the appropriate version of the
2 attached Exhibit 1 as an exhibit to the Final Judgment, depending on whether Denali
3 is ruled to have validly opted out of the Class, and that the Court disregard the Exhibit
4 1 originally filed on October 21, 2013.

5 DATED: October 23, 2013

Respectfully submitted,

6 ROBBINS GELLER RUDMAN
7 & DOWD LLP
8 SPENCER A. BURKHOLZ
9 THOMAS E. EGLER
10 SCOTT H. SAHAM
11 NATHAN R. LINDELL
12 ASHLEY M. ROBINSON

13 s/ Spencer A. Burkholz

14 SPENCER A. BURKHOLZ

15 655 West Broadway, Suite 1900
16 San Diego, CA 92101
17 Telephone: 619/231-1058
18 619/231-7423 (fax)

19 KESSLER TOPAZ MELTZER
20 & CHECK, LLP
21 ANDREW L. ZIVITZ
22 SHARAN NIRMUL
23 KIMBERLY JUSTICE
24 JENNIFER L. JOOST

25 s/ Andrew L. Zivitz

26 ANDREW L. ZIVITZ

27 280 King of Prussia Road
28 Radnor, PA 19087
Telephone: 610/667-7706
610/667-7056 (fax)

Co-Lead Counsel for Plaintiffs and the Class
in the *Luther* and *Western Conference* actions

1 DEUTSCH & LIPNER
2 SETH E. LIPNER
3 1325 Franklin Avenue, Suite 225
4 Garden City, NY 11530
5 Telephone: 516/294-8899
6 516/742-9416 (fax)

7 THE MEHDI FIRM
8 AZRA Z. MEHDI
9 One Market
10 Spear Tower, Suite 3600
11 San Francisco, CA 94105
12 Telephone: 415/293-8039
13 415/293-8001 (fax)

14 Additional Counsel for Plaintiff

15 COHEN MILSTEIN SELLERS
16 & TOLL PLLC
17 STEVEN J. TOLL (*pro hac vice*)
18 JULIE GOLDSMITH REISER (*pro hac vice*)
19 JOSHUA S. DEVORE (*pro hac vice*)

20 s/ Steven J. Toll

21 STEVEN J. TOLL

22 1100 New York Avenue, N.W.
23 West Tower, Suite 500
24 Washington, DC 20005-3964
25 Telephone: 202/408-4600
26 202/408-4699 (fax)

27 COHEN MILSTEIN SELLERS
28 & TOLL PLLC
29 JOEL P. LAITMAN (*pro hac vice*)
30 CHRISTOPHER LOMETTI (*pro hac vice*)
31 RICHARD SPEIRS (*pro hac vice*)
32 DANIEL B. REHNS (*pro hac vice*)
33 77 Pine Street, 14th Floor
34 New York, NY 10005
35 Telephone: 212/838-7797
36 212/838-7745 (fax)

37 Lead Counsel for Plaintiffs and the Class in
38 the *Maine State* action only

1 GLANCY BINKOW &
2 GOLDBERG LLP
3 LIONEL Z. GLANCY
4 MICHAEL GOLDBERG
5 1801 Avenue of the Stars, Suite 311
6 Los Angeles, CA 90067
7 Telephone: 310/201-9150
8 310/201-9106 (fax)

9 Liaison Counsel for Plaintiffs in the *Maine*
10 *State* action

11 KIRBY McINERNEY LLP
12 IRA M. PRESS
13 RANDALL K. BERGER
14 825 Third Avenue, 16th Floor
15 New York, NY 10022
16 Telephone: 212/371-6600
17 212/751-2540 (fax)

18 Additional Counsel for United Methodist
19 Churches Benefit Board. Inc.

1
2 CERTIFICATE OF SERVICE

3 I hereby certify that on October 23, 2013, I authorized the electronic filing of
4 the foregoing with the Clerk of the Court using the CM/ECF system which will send
5 notification of such filing to the e-mail addresses denoted on the attached Electronic
6 Mail Notice List, and I hereby certify that I caused to be mailed the foregoing
7 document or paper via the United States Postal Service to the non-CM/ECF
8 participants indicated on the attached Manual Notice List.

9 I certify under penalty of perjury under the laws of the United States of America
10 that the foregoing is true and correct. Executed on October 23, 2013.

11 s/ SPENCER A. BURKHOLZ
12 SPENCER A. BURKHOLZ

13 ROBBINS GELLER RUDMAN
14 & DOWD LLP
15 655 West Broadway, Suite 1900
16 San Diego, CA 92101-3301
17 Telephone: 619/231-1058
18 619/231-7423 (fax)

19 E-mail: spenceb@rgrdlaw.com
20
21
22
23
24
25
26
27
28

Mailing Information for a Case 2:12-cv-05122-MRP-MAN Western Conference of Teamsters Pension Trust Fund v. Countrywide Financial Corporation et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Leiv H Blad , Jr**
leiv.blad@bingham.com
- **Spencer Alan Burkholz**
spenceb@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Christopher G Caldwell**
caldwell@caldwell-leslie.com,hammer@caldwell-leslie.com, hong@caldwell-leslie.com,perigoe@caldwell-leslie.com,pettit@caldwell-leslie.com,records@caldwell-leslie.com,hayes@caldwell-leslie.com,popescu@caldwell-leslie.com,strother@caldwell-leslie.com
- **Michelle K Camp**
mpulley@gibsondunn.com
- **Matthew W Close**
mclose@omm.com
- **Michele E Connolly**
mconnolly@goodwinprocter.com
- **Brian Charles Devine**
bdevine@goodwinprocter.com,ABoivin@goodwinprocter.com
- **Jenifer Q Doan**
jeniferdoan@paulhastings.com
- **Daniel S Drosman**
ddrosman@rgrdlaw.com,tholindrake@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Thomas E Egler**
tome@rgrdlaw.com,jillk@rgrdlaw.com
- **John O Farley**
jfarley@goodwinprocter.com
- **Inez H Friedman-Boyce**
ifriedmanboyce@goodwinprocter.com,MConnolly@goodwinprocter.com
- **Jeanne A Fugate**
fugate@caldwell-leslie.com,records@caldwell-leslie.com,harper@caldwell-leslie.com
- **Joshua G Hamilton**
joshuahamilton@paulhastings.com,melmanahan@paulhastings.com,lindayoung@paulhastings.com
- **William N Hebert**
whebert@calvofisher.com,docket@calvoclarck.com,SF-receptionist@calvoclarck.com
- **Jennifer Lee Hong**
hong@caldwell-leslie.com,records@caldwell-leslie.com
- **Deborah Kang**
deborahkang@paulhastings.com
- **Dean J Kitchens**
dkitchens@gibsondunn.com,MOstrye@gibsondunn.com
- **Teodora Manolova**
tmanolova@goodwinprocter.com
- **Alexander K Mircheff**
amircheff@gibsondunn.com,mostrye@gibsondunn.com,inewman@gibsondunn.com,cnowlin@gibsondunn.com,mpulley@gibsondunn.com
- **Christopher Anthony Nowlin**
cnowlin@gibsondunn.com,hkim@gibsondunn.com

- **Brian E Pastuszenski**
bpastuszenski@goodwinprocter.com,aboivin@goodwinprocter.com,ashapiro@goodwinprocter.com
- **Ashley M Robinson**
ashleyr@rgrdlaw.com
- **Jonathan Rosenberg**
jrosenberg@omm.com
- **Scott H Saham**
scotts@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Jennifer M Sepic**
jennifer.sepic@bingham.com
- **William F Sullivan**
williamsullivan@paulhastings.com,lisavermeulen@paulhastings.com,lindayoung@paulhastings.com
- **William J Sushon**
wsushon@omm.com
- **Michael C Tu**
mtu@orrick.com,cchiang@orrick.com
- **David C Walton**
davew@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Lloyd Winawer**
lwinawer@goodwinprocter.com,cburgos@goodwinprocter.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

Manual List – Objectors

***Western Conference of Teamsters Pension Trust Fund v.
Countrywide Financial Corporation, et al.,
No. 2:12-cv-05122-MRP-MAN***

Howard B. Prossnitz, Esq.
LAW OFFICE OF HOWARD PROSSNITZ
218 North Jefferson, Suite 300
Chicago, IL 60661

Talcott J. Franklin, Esq.
Martha Evans, Esq.
Derek White, Esq.
Dylan Savage, Esq.
TALCOTT FRANKLIN P.C.
208 North Market Street, Suite 200
Dallas, TX 75202

David J. Grais
Owen L. Cyrulink
Kathryn E. Matthews
GRAIS & ELLSWORTH LLP
1211 Avenue of the Americas
New York, NY 10036